

SUPREME COURT STATE OF NEW YORK
COUNTY OF KINGS

-----X
911 REALTY CORP,

Index No.:
Filed:

Plaintiff,

-against-

COMPLAINT

ARIHAY KAIKOV and
ROYAL A&K REALTY GROUP INC.

Defendants,

-----X

Plaintiff, 911 REALTY CORP., by their attorneys TEMKIN & ASSOCIATES, LLC, alleges against Defendants ARIHAY KAIKOV and ROYAL A&K REALTY GROUP, INC., upon information and belief, as follows:

PARTIES

1. Plaintiff, 911 REALTY CORP (“**Plaintiff**” or “**911 Realty**”) is incorporated in the state of New York and doing business in the County of Kings.
2. Upon information and belief, Defendant, ARIHAY KAIKOV (“**Kaikov**”) was and is at all times an individual resident of the County of Nassau residing at 65-38 Booth St #2H, Rego Park, NY 11374.
3. Upon information and belief, that at all times hereinafter mentioned Defendant ROYAL A&K REALTY GROUP INC., (hereinafter “**Royal A&K**”) is a corporation duly organized and existing under the laws of the State of New York with a principal place of business at 96-62 Queens Boulevard, Rego Park, New York 11374 and doing business in the County of Kings.
4. Upon information and belief, at all times hereto, Royal A&K was owned

solely by Kaikov.

AS AND FOR A FIRST CAUSE OF ACTION

5. This action seeks declaratory and equitable relief with the result that Plaintiff is declared the lawful owner of real property located and situated in the County of Kings at 317 East 31st Street, Brooklyn, New York 11226 (the “**31st Street Property**”) and the deed to the 31st Street Property is transferred to Plaintiff.

6. Sometime in December 2012, Kaikov approached his cousin, Chalamo Kaikov (“**Chalamo**”) to solicit investment into a joint business venture wherein Chalamo and Kaikov would put up money in order to acquire, own, renovate, manage and sell real properties for profit.

7. As a result, sometime in December 2012, Chalamo and Kaikov entered into a verbal agreement wherein Chalamo agreed to expend capital monies for the aforementioned venture (the “**Agreement**”).

8. During 2012 – 2018, Chalamo invested over \$1,000,000 in the joint venture.

9. Pursuant to the Agreement, Chalamo and Kaikov decided to form a joint corporation 911 Realty Corp., where Chalamo and Arihay would be de facto 50-50% owners, Chalamo’s son Khanan would hold a position of President, and which would hold the tiles and/or deeds for the invested properties and account for joint investments and expenses.

10. Pursuant to the Agreement, in December 2016, 911 Realty Corp. expended monies for renovation of the 31st Street Property.

11. Pursuant to the Agreement, Kaikov was to transfer the deed to the 31st

Street Property to 911 Realty, for consideration of the capital monies, invested by Chalamo to the joint project.

12. Upon information and belief, in violation of the Agreement, Kaikov recorded the deed in the name of Royal A&K.

13. Upon information and belief, in violation of the Agreement, Kaikov failed to transfer the deed to the 31st Street Property to Plaintiff.

14. Upon information and belief, Kaikov never intended to transfer the deed to Plaintiff.

15. Upon information and belief, Kaikov converted the monies invested in the 31st Street Property for his own use.

16. Since 31st Street Property was subject to the Agreement, Plaintiff should be the deeded owner of the 31st Street Property.

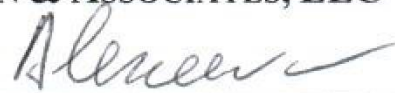
WHEREFORE, Plaintiff demands Judgment against the Defendants as follows:

- a) on the First Cause of Action, that the Court transfer the deed for the 31st Street Property to Plaintiffs;
- b) on the First Cause of Action, money judgment against Defendants in the amount to be determined at trial;
- c) Punitive damages in an amount to be determined at trial;
- d) Costs, disbursements and legal fees associated with the bringing of this action, and any further relief this court deems just and proper.

Dated: April 23, 2019

Respectfully submitted,

TEMKIN & ASSOCIATES, LLC

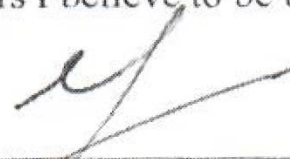


Elena Alexeeva, Esq.. #5407721
1229 Broadway, Suite 109
Hewlett, New York 11557
Phone: (215) 494-9289
Fax: (267) 217-157
elena@temkinlegal.com

VERIFICATION

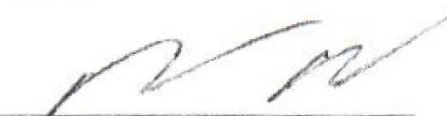
STATE OF NEW YORK)
)
COUNTY OF KINGS) ss.:

911 REALTY CORP. being duly sworn deposes and states that: I am the Plaintiff in this action. I have read the foregoing verified complaint and know the contents thereof. The same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief and as to those matters I believe to be true.



KHANAN KAIKOV,
President of 911 Realty Corp.

Sworn to me before this
23 day of April, 2019



Notary Public

Robert Bommarito
Notary Public, State of New York
No. 01BO6050573
Qualified in Nassau County 23
Commission Expires May 5, 20____

ATTORNEY CERTIFICATION

I, Elena Alexeeva, Esq., hereby certify, under penalty of perjury, and as an officer of the court, that to the best of my knowledge, information and belief, formed after an inquiry reasonable under the circumstances, that the presentation of the within papers or the contentions therein are not frivolous within the meaning of 22 NYCRR Section 130-1.1(c).

Dated: April 23, 2019



Elena Alexeeva, Esq.

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Plaintiff,

-against-

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The basis of venue is
the property is located
in Kings County

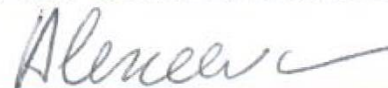
SUMMONS

THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the Verified Complaint in this action and to serve a copy of your Answer, or, if the Complaint is not served with this Summons, to serve a notice of appearance, on Plaintiff's Attorney within twenty (20) days after the service of this Summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in the case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

Dated: April 23, 2019

TEMKIN & ASSOCIATES, LLC



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To: ARIHAY KAIKOV
65-38 Booth St #2H
Rego Park, NY 11374

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Rego Park, New York 11374